

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIBERTY HOLDINGS (NYC) LLC et al.,

Plaintiffs,

-against-

APOSTA, INC. et al.,

Defendants.

1:18-cv-05108 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On September 15, 2022, the Court ordered the parties to file a joint letter within three weeks. ECF No. 73. The deadline for that filing has now passed and the parties failed to comply and file the letter. Accordingly, it is hereby ORDERED that the parties shall, no later than **October 31, 2022**, file a joint letter addressing all the information requested in the September 15, 2022 Order. If the parties are unable to file the letter jointly, each party shall file and email a courtesy copy of their own letter to the opposing party and explain why they could not file the letter jointly.

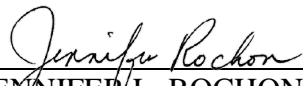
Further, counsel for Plaintiffs, Liberty Holdings (NYC) LLC and Dreambuilder Investments, LLC, withdrew on March 22, 2022. ECF No. 71. Since that time, no attorney has appeared for either plaintiff limited liability company. The docket also shows that the Court's Order dated September 15, 2022, was mailed to Plaintiffs by the Clerk of Court and returned as undeliverable. "[A] limited liability company . . . may appear in federal court only through a licensed attorney." *Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007). Accordingly, it is further ORDERED that, by **October 31, 2022**, Plaintiffs shall file a letter (i) providing their current contact information to the Court and (ii) stating whether Plaintiffs have obtained counsel and if they have not, explaining Plaintiffs' failure to do so. Plaintiffs' failure to comply with the Court's orders may result in dismissal for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). *See Plutus I, LLC v. Itria Ventures LLC*, No. 18-cv-09616 (AT), 2019 U.S. Dist. LEXIS 7953, at *6 (S.D.N.Y. Jan. 15, 2019) (dismissing case because plaintiff limited liability company failed to obtain counsel and prosecute the case).

The Clerk of Court is respectfully directed to mail this Order to *pro se* Plaintiffs.

Dated: October 12, 2022

New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge